

February 8, 2023

VIA ECF

Honorable Denise L. Cote
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. James Velissaris*, No. 22 Cr. 105 (DLC)

Dear Judge Cote:

We write jointly on behalf of the defense and the Government to request an adjournment of the sentencing date, currently scheduled for Friday, March 3, 2023, at 2:00 PM.

On November 22, 2022, the Court set a schedule for the presentence report: the first disclosure was due on January 13, 2023, and the second disclosure was due on February 10. However, the first disclosure was not sent until Monday, February 6. Under Rule 32(e)(2), the parties are entitled to receive the first disclosure 35 days before the sentencing date. The parties therefore respectfully request an adjournment to at least March 13, 2023, or a later date convenient to the Court.

Separately, an issue of availability recently arose for the Government. Two of the three prosecutors handling this matter will no longer be with the U.S. Attorney's Office as of March 3, and the third prosecutor will be on trial before Judge Berman beginning February 21 and lasting two to three weeks.

Accordingly, the parties respectfully request that the Court set the following schedule for sentencing:

Second PSR Disclosure: February 20, 2023

Defense Submission: February 27, 2023

Government Submission: March 6, 2023

Sentencing Date: March 13, 2023

Respectfully,

Michael K. Krouse

Michael Kim Krouse